

THE
French King's
APPEAL
FROM THE
PROCEEDINGS
OF THE
POPE



TO A GENERAL COUNCIL
General Council.

September 28. 1688.

Faithfully Translated from the
French Copy Printed at *Paris*.

LONDON,

Printed for *Richard Baldwin*. 1688.

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Eighteenth Translated from the

French Original in Four Vols.

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Act of Appeal Made to the

Future Council,
BY THE
KING'S Attorney General;
And Judgment given thereupon, by the
Chamber of Vacation, the 27th, of
September, 1688,
An Extract from the Records of PARLIAMENT.

THIS Day the King's Attorney General, being come into the *Chamber of Vacation*, declared that the Matters of Fact laid open in the Letter the King sent to the Cardinal of L'Estrees the 6th of this Month, having oblig'd his Majesty

to represent to our Holy Father the Pope, that he cannot look upon him otherwise for time to come, than as a Prince that takes part with his Enemies, or own him for a Competent Judge in all Cases wherein his interest may be concerned: The King's Attorney General has thought it his duty at the same time, to make use of the Precautions provided by the Law, practis'd in many Cases, and founded on the Opinions of the ~~Belian~~ Cannonists themselves, to prevent his Holiness from passing any Valid and Regular Decrees in these Matters: With this purpose he hath made an Extrajudiciary Appeal from all the Proceedings his Holiness may already have made, or make for time to come; and Decrees he may have pass'd, or pass for time to come, in prejudice to the King, the Rights of his Crown, and of the Subjects of his Majesty: The Respect he ows to this Court, has oblig'd him to come ~~and~~ give them an account hereof, and to render to them the Act of Appeal he has made thereupon: They will easily perceive from the Command he has receiv'd from the King on this occasion, the Piety, Wisdom, and Moderation, which seem to have quite extinguished in this Prince those passions which so powerfully byass the rest of Mankind. He hopes the Court will approve his Conduct herein; and is fully assured they will with abundance of Zeal and Fidelity employ all the Authority the King has been pleas'd to trust them with, to maintain the respect due to his Majesty upon so many just Titles, and to preserve the Rights of his Crown, the peace of his Subjects, and those Liberties which on are

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are not peculiar to the *Gallican Church*, but which
she has preserved always with more Lustre and Vi-
gor than any other Church whatsoever. *standing*
in *plein* *air* *with* *no* *of* *botherous* *con-*
cern *The* *Kings* *Attorney* *General* *being* *withdrawn*,
after having read the said Act of Appeal with his
Conclusions thereupon, by him left in the Office
of the said Court, and the Matter put to debate,
and to him given to read in open Chamber and
The Chamber Orders, That the said Act of Appeal
shall be entered in the Office of Records, to resore
unto as occasion shall be, and that most humble thanks
be returned to his Majesty; that he hath thought
good his Attorney General should begin those
Proceedings which have been practised upon the
like occasions: And that the first President shall
assure our said Lord the King, in the Name of the
Court, of their constant adherence to his Sacred
Person and Service; and of their Zeal ever to em-
ploy the Authority his Majesty has been pleased to
intrust them with; in maintaining the Rights of the
Crown, the Liberties of the Kingdom, and the Peace
of his Subjects. Given in *Vacation*, the 27th. of
September 1688.

Signed *in* **D O N G O I S**

Before the Apostolical Notaries under-written,
to that purpose sent for to the Bar of the King's
Council in the Palace of this City, my Lord *Achil-*
les de Harley made his personal appearance, and
declared that the Repute of our Holy Father the
Pope

Pope *Innocent the 11th.* his Piety having made the King to look upon his Exaltation to the supreme Pontificate with much joy, his Majesty has ever since endeavoured to joyn with his Holiness, in labouring with one accord to promote the Concerns of the Glory and service of God.

That the King's desires herein, and the steps he has already made in this matter having mist of the good success he might have expected from them, his Majesty notwithstanding has continued on his part to employ the Power God has entrusted him with, in preserving the Purity of Faith, within his Dominions, and in bringing back to the bosome of the Church a great number of the Children that were gone astray from her; and in affording her all the protection she could expect from the Authority of a great King: His Majesty having moreover at the same time edified her by his own example, and instructed all his Subjects by his singular Piety.

In the mean time, our Holy Father the Pope, to whom so many Vertues and wonderful Acts ought particularly to have endeared the Person of the King, has with fervency embraced the Complaints that two Bishops have made to him, concerning the Right of the Regale, having at the same time rejected the Arrestations tendered him by all the other Bishops of that Kingdom, concerning the favours they had received of the King in that regard, even in pre-
dice to his own Right.

His

His Holiness has deprived the King's Ambassadors at the Court of *Rome* of those very Franchises which they have enjoy'd during his Papacy, in a City where it might have been expected the gratitude of the Popes would have reserved for our Kings those more illustrious and peculiar marks of Sovereignty, which they in former times divested themselves of in favour of the Holy See.

Our Holy Father the Pope, has judg'd the Declaration which the Deputies of the Clergy assembled in the City 1683. made of their Opinions concerning the Power of the Church, to be at least a suspitious and dangerous Doctrine, and at a Juncture wherein many of his Predecessors would rather have gone to the uttermost bounds of *Europe*, than to leave so many new Catholick Converts destitute of Pastours: His Holiness has refused his Bulls to many Ecclesiasticks the King had nominated to fill the vacant Churches of his Kingdom; and to whom no other Crime can be imputed, than that of having known the Truth by their Learning, and declar'd the same with a sincerity joyn'd with a great Respect for the Holy See.

Our Holy Father the Pope's Behaviour for some Months since, in the Business of the Arch-Bishoprick of *Cologne*, has given occasion to Men to believe, that his Partial Dealings might as well raise as dissipate a part of his Scruples and Difficulties; His Delegates to maintain the Dignity of the Crown

His Holiness perusing in his not owning, and refusing Audience to an Ambassador, whom the King was pleased to send at this Juncture, the Thunderbolts he has made use of against that Ministry, in the Interdiction of the Church dedicated to God under the Name of St. Lewis in the City of Rome; and last of all, his unheard of refusing not long since to give Audience to a Person, whom the King had sent to him on purpose, and even so much as to receive a Letter from his Majesty, where-with the said Person was charged, will leave an almost incredible Instance to Posterity, of the power that Religion, and the desire of preserving the Peace of Christendom, have had over the heart of the King, as well as of the prevalence of prejudice over the Spirit of the Pope, so contrary to the Obligations lying upon him from the place he filled; but you will be satisfied when you have read of this; no good end to enlarging on this Subject, since the King has been pleased to permit that his Letter written on this occasion to the Cardinal D'Estrees the 6th of this Month, should be published.

Our Holies Frier the Pope's
And because we see, that his Holiness thus stops his Ears to all the Informations the King has been pleased to give him, as well as to the most just Complaints that were to be laid before him from his Majesty, we are at last forced to stand up in our own Defence, to maintain the Dignity of the Crown, and

and the Peace of the King's Subjects by the Rule of Justice, at the same time that his Majesty performs the same with so much Glory by the Puissance of his Arms.

And though we might differ with entring any Proceedings against thos Decrees which would be null and void, by the Condition of him that pronounces them, by the Quality of the Matters in Question, and the Persons they respect. Notwithstanding, that his Majesty hath omitted nothing of what is his Duty, and, according to the example of his Predecessours, the said Attorney General doth as such, and after having obtain'd Permission from his Majesty, declare that he makes his Appeal on behalf of the King and his Subjects to the General Council, which it shall please his Holiness to Convene according to Canonical Form, from all the Proceedings and Acts of our Holy Father the Pope, and from any Decrees his Holiness may have past since the notice given him by Order of his Majesty, of the just Causes of complaint and exception he hath against the Person of his said Holiness, and in like manner from all other Proceedings and Decrees he may make for the future, to the prejudice of his Majesty, the Rights of his Country and Subjects, protesting at the same time, in the Name and by express Command from the King, that his Intentions are ever to continue inviolably devoted to the Holy See, as to the true Centre of the Unity of the Church, to preserve the Rights,

Authorities, and Preeminencies thereof, with the same
zeal his Majesty has done on so many important Oc-
casions, to render to the same himself, (and causing all
his Subjects) the Respect, Diference, and Submission
due unto it, and that as soon as our Holy Father (being
better informed) shall give Demonstration of the
Equity and Disposition of a Judge and common
Father, his Majesty will pay (as he has done alwaies
heretofore) to his very Person the Filial Duty he
owes him, which the sole Behaviour of his Ho-
liness forces him to forbear at present. Given and
past at *Paris*, in the Palace, at the Bar of King's
Council, in the year 1688. the 27th. of *September*,
before Noon. Signed, *Maurice Senior & Battellier*, Notary
of the said Council.

And at the same time the *foresaid Attorney Ge-
neral* made his Appearance in Presence of the
Apostolical Notaries at *Paris* underwritten, before
the Reverend *Nicholas Cheron*, Priest, Doctor in
Divinity, and Official of the Arch-Bishoprick of
Paris, and after having tendered him the said Act of
Appeal by him made, and desired to grant him
the accustomed Letters to Summon, and the Party
concern'd to prosecute the same when occasion
shall be, the said Official hath as far as in him
lies, granted the said Letters out of the respect he
bears to the Universal Church, represented in a
General Council, and in consideration that the
said Appeal concerns the King's Rights, the Libe-
rals, and the *Principality* to maintain the Dignity of the Cate-
ches.

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ties of the *Gallican* Church, and Peace of the Kingdom. Given at the Hall of the Ecclesiastical Court of *Paris*, in the Year 1688. the 27th of September, before Noon. Signed

Monseigneur Saurier & Battelier.

F I N I S.